

Via eFILE

PATENT APPLICATION  
Application Serial Number 10/660,288  
Filed: September 11, 2003  
Docket No. 16497.138.1.1.2.1  
(Formerly 6771USP4)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PETITION UNDER 37 C.F.R. § 1.78(a)(3) TO ACCEPT AN UNINTENTIONALLY DELAYED  
CLAIM FOR PRIORITY UNDER 35 U.S.C. § 120

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It has recently come to the attention of the undersigned that the PAIR system does not currently include any parent continuity data for this application. Although Applicants believe that their priority claim has already been perfected, Applicants, pursuant to 37 C.F.R. § 1.78(a)(3), hereby petition the Commissioner for Patents (the “Commissioner”) to accept an unintentionally delayed priority claim for the benefit of a prior filed nonprovisional patent application (the “Petition”), out of an abundance of caution.

If the Commissioner should find that any delay, as to the making of such priority claim, has occurred between the date the claim was due under 1.78(a)(5)(ii) and the filing date of this Petition, Applicants respectfully submit that such delay was, in any event, unintentional.

In view of the foregoing, Applicants respectfully request that the applicable United States Patent and Trademark Office record(s) be updated accordingly. Applicants further respectfully request a corrected filing receipt for this case, reflecting the appropriate domestic priority data.

Applicants have not included the fee under 37 C.F.R. § 1.17(t) for filing this Petition under 37 C.F.R. § 1.78(a)(3), because Applicants do not believe that any fee is required. However, should the Commissioner believe that a fee is required to perfect this priority claim, the Commissioner is hereby

authorized to charge the fee under 37 C.F.R. § 1.17(t) and any additional fees or credit any overpayment in regard to this matter to Deposit Account No. 23-3178.

Dated this 28<sup>th</sup> day of September, 2007.

Respectfully submitted,

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FDR:PNT  
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